

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

COMMONWEALTH SCIENTIFIC AND INDUSTRIAL RESEARCH ORGANISATION,

Plaintiff,

VS.

TOSHIBA AMERICA INFORMATION SYSTEMS, INC., *et al.*

Defendants.

Civil Action No. 6:06-cv-550-LED

Jury Trial Demanded

**STIPULATION OF DISMISSAL OF ALL CLAIMS AND COUNTERCLAIMS
BETWEEN PLAINTIFF COMMONWEALTH SCIENTIFIC AND INDUSTRIAL
RESEARCH ORGANISATION AND DEFENDANT FUJITSU COMPUTER SYSTEMS
CORPORATION PURSUANT TO FED. R. CIV P. 41(a)(1)**

IT IS HEREBY STIPULATED by plaintiff Commonwealth Scientific and Industrial Research Organisation (“CSIRO”), and defendant Fujitsu Computer Systems Corporation (“FCS”) (collectively, the “Parties”), that pursuant to Fed. R. Civ. P. 41(a)(1):

1. All claims CSIRO asserts against FCS in the above-captioned action are dismissed with prejudice;
2. All claims or counterclaims FCS asserts against CSIRO in the above-captioned action are dismissed with prejudice;
3. Each of the Parties shall bear its own costs; and
4. This Court shall retain jurisdiction over any dispute arising out of the settlement agreement between the parties.

Dated: April 6, 2009

Respectfully submitted,

By: /s/ Andy Tindel

Andy Tindel

With permission of Lead Attorney

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ATTORNEYS FOR FUJITSU COMPUTER
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Respectfully submitted,

By: /s/ Daniel J. Furniss w/permission Andy Tindel
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Attorneys for Plaintiff
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CERTIFICATE OF SERVICE

The undersigned certified that the foregoing document was filed electronically in compliance with Local rule CV-5(a). As such, this motion was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by certified mail, return receipt requested, on this the 6th day of April 2009.

By: /s/ Andy Tindel
Andy Tindel